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**Natural Resources, Ecology &  
Parks Committee**

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**HB 1003**

**Brief Description:** Allowing off-road vehicles on nonhighway roads.

**Sponsors:** Representatives Hinkle, B. Sullivan, Curtis, Campbell, Blake, Dunn and Condotta.

**Brief Summary of Bill**

- Allows the use of off-road vehicles (ORVs) on nonhighway roads when authorized by the responsible governing body.
- Exempts ORVs operating on nonhighway roads from vehicle licensing, equipment and lighting requirements.
- Restricts persons under 16 years of age from operating an ORV on a nonhighway road unless under the direct supervision of an adult.

**Hearing Date:** 1/18/05

**Staff:** Jeff Olsen (786-7157).

**Background:**

Except for specific circumstances, it is unlawful for a person to operate a vehicle on a public highway without first having a current vehicle license. Exceptions to the licensing requirement include motorized foot scooters, electric-assisted bicycles, certain farm vehicles, and certain trailers. In addition, vehicles operating on a highway must comply with vehicle lighting and equipment requirements.

The Forest Service Manual, Pacific Northwest Region, effective April 10, 2003, accepts the use of off-highway vehicles when it is in accordance with state laws and regulations and consistent with the forest plan. In response to questions regarding state regulation on forest service roads, Attorneys General Opinion 1972 No.3 in part maintained that forest service roads fell within the definition of a highway. As a result, there is some uncertainty regarding the equipment requirements for operation of off-road vehicles on some nonhighway roads.

A person operating a nonhighway vehicle upon the shoulder of a nonhighway road or upon the median of a divided highway is subject to a traffic infraction. Violations are subject to a penalty

of not less than 25 dollars, and the operator is liable for any property damage. In addition, property owners may recover up to three times the amount of damage from the responsible party.

**Summary of Bill:**

ORVs may be operated on nonhighway roads when authorized by the responsible governing body including state, federal, or local authorities. ORVs are exempt from vehicle licensing, equipment and lighting requirements when operating on nonhighway roads.

It is a traffic infraction for any person to operate an ORV on a highway. Persons under 16 years of age are restricted from operating an ORV on a nonhighway road unless they are under the direct supervision of a person 18 years of age or older with a valid drivers license.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2005.